

MEETING MINUTES

Department of Corrections and Rehabilitation/Department of Mental Health
Apprenticeship Committee
July 28, 2011
660 Bercut Drive
Sacramento, CA 95811

Open Session

I. CALL TO ORDER / APPROVAL OF PRIOR MEETING MINUTES

The following board members were in attendance

Debbie Rives, Chair	Corrections Standards Authority (CSA)
Richard Subia	Division of Adult Institutions (DAI)
Paul Bestolarides	Office of Training and Professional Development (OTPD)
Harry Gist	Department of Mental Health (DMH)
Rick Winistorfer	Division of Adult Parole Operations (DAPO)
Anthony Lucero	Division of Juvenile Justice (DJJ)
Michelle Lewis	Division of Juvenile Justice (DJJ Parole)
Travis McCann	Office of Training and Professional Development (OTPD)

A motion was made and unanimously passed to adopt the meeting minutes from the April 28th, 2011 meeting of the Apprenticeship Committee.

II. EXTERNAL CREDIT POLICY GRIEVANCE BY CCPOA (INFORMATION)

CCPOA is grieving the Apprenticeship Committee's decision made on March 18, 2011 to eliminate the external credit program from the Apprenticeship Program and demanding the opportunity for Meet and Confer. The grievance has been forwarded to the Office of Labor Relations for response.

III. SENATE BILL 92 RESTORES CPOST (INFORMATION)

SB 92 recently signed into law by Governor Brown, recreates the Commission on Correctional Peace Officer Standards and Training – a joint labor and management body – and transfers responsibility for the selection and training of state correctional peace officer apprentices from CSA to CPOST effective July 1, 2012.

CLOSED SESSION
BAGLEY KEENE ACT § 11125(B)

The Apprenticeship Committee convened to closed session. Per the Bagley Keene Act, the minutes of the closed session are confidential and are disclosed only to the Apprenticeship Committee or to a reviewing court.

RECONVENE OPEN SESSION

Anthony Lucero recused himself from voting on all grievances due to his recent employment transfer to the Office of Labor Relations. As a result of that transfer, he is no longer a representative of the Division of Juvenile Justice and will be replaced on the Apprenticeship Committee for future meetings.

The decisions made in closed session were as follows:

Case 2011-06 & 2011-07

- 1) A motion to accept the staff recommendation and apply the same determination to case 2011-07 (identical in circumstance) was made and passed. This motion determines that there is no Apprenticeship program for the Board Revocation Representative and therefore the requirement to complete an apprenticeship program as a condition of movement between Range J and Range K is waived. This determination will be used as the basis for a request to DPA to address the retroactive application of the range change movement and resulting salary adjustment.
- 2) A motion to accept the staff recommendation and apply the same determination to case 2011-07 (identical in circumstance) was made and passed. This motion instructs staff to work with the Office of Personnel Services to request DPA to make an exception to the range change rule and allow CDCR to retroactively appoint the grievant in cases 2011-06 and 2011-07 to Range K.
- 3) A motion to accept the staff recommendation and apply the same determination to case 2011-07 (identical in circumstance) was made and passed. The motion states that the apprenticeship program shall be completed should the grievant in case 2011-06 or 2011-07 ever accept a position as a Correctional Counselor I at an institution.

Committee member Anthony Lucero (DJJ) recused himself from voting on items 1, 2 and 3.

Case 2011-08

A motion was made and passed to continue this matter until the next meeting on October 27, 2011. The Committee also requested a legal opinion on specifically how USSERA statute as defined by federal law allows backdating of the advancement to Range K for veterans and how that model can be applied to this case. A legal opinion will also be provided on how the Apprenticeship Committee standards can be changed to include provisions similar to the USSERRA statute.

Committee member Anthony Lucero (DJJ) recused himself from voting.

Case 2011-09

A motion was made and passed to continue this matter until the next meeting on October 27, 2011. The Committee also requested a legal opinion on specifically how USSERA statute as defined by federal law allows backdating of the advancement to Range K for veterans and how that model can be applied to this case. A legal opinion will also be provided on how the Apprenticeship Committee standards can be changed to include provisions similar to the USSERRA statute.

Committee member Anthony Lucero (DJJ) recused himself from voting.

Case 2011-10

A motion was made and passed to continue this matter until the next meeting on October 27, 2011. The Committee also requested a legal opinion on specifically how USSERA statute as defined by federal law allows backdating of the advancement to Range K for veterans and how that model can be applied to this case. A legal opinion will also be provided on how the Apprenticeship Committee standards can be changed to include provisions similar to the USSERRA statute.

Committee member Anthony Lucero (DJJ) recused himself from voting.

PUBLIC COMMENT

None